

### **REMARKS**

Claims 10-14 and 17-34 are pending in this application and have been rejected by the Examiner in a non-final Office Action to which this Amendment is responsive. The application has been carefully reviewed in light of the rejections. The title and claims 10, 19, and 26-30 have been amended in an effort to more clearly describe the present invention and not for reasons related solely to patentability. To that end, it is believed that no new matter has been added. In view of the above amendments, Applicants believe the pending application is in condition for allowance.

#### **Amendment To Title**

Applicants have amended the Title to more clearly indicate the claimed invention.

#### **Claim Amendments to Correct Informalities**

Applicants have amended Claim 19 in light of the Examiner's objection to the use of the term "base unit," replacing it with "base unit element."

#### **Claim Amendments to Rejected Claims**

Claims 10, 12-14, 17, 19-21, 23-26, 28, 30, 33 & 34 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Publication No. 2001/0051762 to Murata ("Murata '762") in view of U.S. Patent No. 5,002,041 to Chikama ("Chikama '041"). Claim 11 stands rejected under U.S.C. § 103(a) as being unpatentable over Murata '762 in view of U.S. Patent No. 5,347,992 to Pearlman ("Pearlman '992"). Claims 18, 22, 29, 31, 32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Murata '762 in view of U.S. Patent No. 6,184,922 to Saito ("Saito '922"). Claim 27 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Murata '762. Accordingly, all pending claims have been rejected under 35 U.S.C. § 103(a) as being obvious over Murata '762 in view of another reference.

Murata '762 discloses an "endoscope system 1 for industrial use . . . consist[ing] mainly of an endoscope 3 for industrial use, a cylindrical drum 4, a box-like main unit 5,

a front panel 6, a remote control unit 8, a display device 10, a stowage lid 11, and a battery 13. The industrial endoscope 3 has an elongated insertion member 2 that is flexible." (Murata '762 ¶ [0045] and Figs. 1, 6, 9, 12) The remote control unit 8 and display device 10 are separate units, with the display device 10 being fixed to the box-like main unit 5 by a monopode or column 8. (Murata '762 ¶ [0045] and Figs. 1, 6, 9, 12) The endoscope 3 of Murata '762 directly interfaces with the light source unit 15, camera control unit (CCU) 16, and motor-driven angling unit 17 (Murata '762 ¶ [0046] and Figs. 2, 5, 7, 8, 10, 11, 13), all of which are located within the box-like main unit 5 (Murata '762 Figs. 1, 6, 9, 12).

As the present Application's specification and amended claims make clear, Applicants' present invention is directed to a modular visual inspection system having a unitary control and display handset element, wherein each one of a plurality of insertion elements can be connected to the unitary control and display handset element without modification of said unitary control and display handset element. There can be no dispute that endoscope system of Murata '762 fails to disclose the unitary control and display handset element of the present invention, which provides the user with greater flexibility in conducting an inspection.

Furthermore, as the Examiner concedes, "Murata does not disclose that there are a plurality of insertion elements, wherein each one of said plurality of insertion elements can be used without modification with [the] control and display handset element" of the Applicant's present invention. Nevertheless, Examiner concludes that "[i]t would have been obvious to one having ordinary skill in the art at the time the invention was made to provide multiple insertion elements, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art." Examiner also concludes that "[a] skilled artisan would be motivated to do so in order to provide a backup insertion element in case of contamination or malfunction." Applicants respectfully submit that, unlike Murata '762 where the insertion element must be connected to the box-like main unit 5 (Murata '762 Figs. 1, 6, 9, 12), Applicants' present invention is directed to an inspection system where the plurality of insertion elements can be connected to the unitary control and display handset element without

modification of said unitary control and display handset element, providing the user with even greater flexibility in conducting an inspection. Furthermore, while the Examiner argues that "mere duplication of essential working parts" (*i.e.*, the same parts) as an obvious advancement, the Applicants' present invention is not directed to mere duplication, but rather can accommodate interchangeable insertion elements having different physical or optical characteristics (*e.g.*, diameter, length, stiffness, imagers, fibers, connectors, etc.) without modification to the unitary control and display handset element.

For all of these reasons and in light of the amendments to independent claim 10, Applicants respectfully request that the Examiner's rejection of claims 10 be withdrawn. Furthermore, since "[d]ependent claims are nonobvious under section 103 if the independent claims from which they depend are nonobvious," *In re Fine*, 837 F.2d 1071, 1076 (Fed. Cir. 1988), Applicants request that the Examiner's rejection to dependent claims 11-14 and 17-34, all of which depend from independent claim 10, also be withdrawn.

Conclusion

In summary, it is believed that the above-captioned patent application is now in an allowable condition and such allowance is earnestly solicited.

If the Examiner wishes to expedite disposition of the above-captioned patent application, he is invited to contact Applicants' representative at the telephone number below.

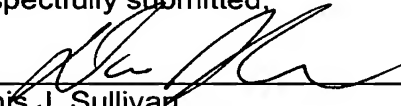
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**Authorization To Charge Necessary Fees**

The commissioner is hereby authorized to charge any additional necessary fees associated with this submission, or credit any overpayment, to Deposit Account No. 50-0289.

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Respectfully submitted,

By   
Denis J. Sullivan  
Registration No.: 47,980  
MARJAMA & BILINSKI LLP  
250 South Clinton Street  
Suite 300  
Syracuse, New York 13202  
(315) 425-9000  
Attorney for Applicants

**Customer No. 20874**